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Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 AID-05 DEAE-00 CIAE-00 INR-05 IO-04

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ARA/LA/DP:K.MILOW (DRAFT)
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OPS:J.MULLEN (DRAFT)
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---------- 062966
P 211533Z OCT 74
FM SECSTATE WASHDC
TO AMEMBASSY MEXICO PRIORITY

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E.O. 11652: N/A
TAGS: SNAR, MX
SUBJECT: NARCOTICS CONTROL-GRANT OF EQUIPMENT AND SERVICES
FOR 1975 ERADICATION CAMPAIGN

REF: A) MEXICO 7820; B) STATE 200962; C) JOINT COMMISSION
REPORT

1. THE FOLLOWING IS THE PROPOSED TEXT OF A LETTER OF
AGREEMENT WHICH THE EMBASSY WILL BE AUTHORIZED TO EXCHANGE
WITH MEXICAN ATTORNEY GENERAL OJEDA PAULLADA, ONCE FAA
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FUNDS ARE APPROPRIATED. MEANWHILE, TO GAIN TIME, EMBASSY
IS ENCOURAGED TO DISCUSS THIS PROPOSED LETTER WITH AG
SO THAT ANY SUGGESTED CHANGES CAN BE IRONED OUT. DEPT.
WILL NOTIFY EMBASSY ASAP ONCE FUNDS ARE AVAILABLE.

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2. QUOTE: DEAR MR. ATTORNEY GENERAL:

A. IN CONFIRMATION OF RECENT CONVERSATIONS BETWEEN OFFICIALS OF OUR TWO GOVERNMENTS RELATING TO THE COOPERATION BETWEEN MEXICO AND THE US TO CURB THE TRAFFIC OF ILLEGAL NARCOTICS, I AM PLEASED TO ADVISE YOU THAT THE GOVERNMENT OF THE US IS WILLING TO ENTER INTO ADDITIONAL COOPERATIVE ARRANGEMENTS WITH THE GOVERNMENT OF MEXICO IN ORDER TO SUPPORT THE EFFORTS OF THE GOVERNMENT OF MEXICO TO REDUCE SUCH TRAFFIC.

B. THE US GOVERNMENT, FOR ITS PART, WILL PROVIDE THE FOLLOWING MATERIAL, TECHNICAL AND TRAINING SUPPORT, AS MAY BE DEEMED USEFUL AND DESIRABLE BY THE GOVERNMENT OF MEXICO.

C. SUBJECT TO THEIR AVAILABILITY ON A TIMELY BASIS, THE MATERIAL SUPPORT WILL CONSIST OF FOUR (4) BELL 212 HELICOPTERS WITH AN APPROPRIATE SPARE PARTS PACKAGE FOR EACH AT A UNIT COST NOT TO EXCEED ONE MILLION DOLLARS (DOLS 1,000,000.00); TELECOMMUNICATIONS EQUIPMENT AT A COST NOT TO EXCEED ONE HUNDRED AND SEVENTY-FIVE THOUSAND DOLLARS (DOLS 175,000.00); INDIVIDUAL EQUIPMENT FOR PILOTS AND MECHANICS AT A COST NOT TO EXCEED TWENTY-SEVEN THOUSAND DOLLARS (DOLS 27,000.00); AND ARMS AND AMMUNITION FOR PERSONNEL INVOLVED IN NARCOTICS CONTROL ACTIVITIES AT A COST NOT TO EXCEED SIXTY THOUSAND DOLLARS (DOLS 60,000.00).

D. THE GOVERNMENT OF THE US WILL REIMBURSE THE GOVERNMENT OF MEXICO FOR ALL NECESSARY AND REASONABLE EXPENSES NOT TO EXCEED FOUR HUNDRED AND FIFTY THOUSAND DOLLARS (DOLS 450,000.00) INCURRED BY THE GOVERNMENT OF MEXICO FOR THOSE SERVICES AND MATERIALS WHICH THE GOVERNMENT OF MEXICO PROCURES OR EXPENDS FOR THE CONSTRUCTION AND EQUIPPING OF BUILDINGS AND ACCESSORIES WHICH, PURSU-

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ANT TO AGREEMENT BY THE PARTIES, ARE DEEMED NECESSARY FOR THE OPERATION OF ADVANCED BASES WHICH WILL BE USED TO SHELTER AND PROTECT PERSONNEL AND STORE AND MAINTAIN AIRCRAFT AND EQUIPMENT EMPLOYED IN THE EFFORT TO CURB NARCOTICS PRODUCTION AND TRAFFICKING. IT IS UNDERSTOOD THAT THESE BASES WILL BE LOCATED IN MEXICO AT CULIACAN, SINALOA; GUAMUCHIL, SINALOA; MAZATLAN, SINALOA; LOS MOCHIS, SINALOA; TOPIA, DURANGO; CHOIX, SINALOA; AND SAN JOSE DEL LLANO, SINALOA; OR AT OTHER SITES MUTUALLY AGREED UPON BY THE PARTIES.

E. THE GOVERNMENT OF MEXICO WILL PROVIDE AT ITS

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OWN EXPENSE ADEQUATE PERSONNEL, SHELTER, STORAGE, AND INSTALLATIONS NECESSARY FOR THE MAINTENANCE, REPAIR AND SERVICING AT CULIACAN AND MEXICO CITY OF AIRCRAFT AND EQUIPMENT PROVIDED BY THE US IN SUPPORT OF THE GOVERNMENT OF MEXICO'S NARCOTICS CONTROL EFFORTS. THE GOVERNMENT OF MEXICO AGREES TO HIRE AT ITS OWN EXPENSE ADDITIONAL PILOTS, MECHANICS, SUPPLY AND OTHER SUPPORT PERSONNEL IN ORDER TO RAISE THE NUMERICAL LEVEL OF THESE PERSONNEL TO MINIMUM STANDARD RATIOS FOR PILOTS PER AIRCRAFT, AND MECHANICS PER AIRCRAFT, AND TO ACHIEVE MAXIMUM EFFICIENCY OF MAINTENANCE, SUPPLY AND REPAIR OF AIRCRAFT BELONGING

TO THE AIR SERVICES SECTION OF THE OFFICE OF THE ATTORNEY GENERAL OF MEXICO.

F. THE GOVERNMENT OF THE US WILL PROVIDE REIMBURSEMENT TO THE GOVERNMENT OF MEXICO FOR REASONABLE EXPENSES INCURRED BY THE GOVERNMENT OF MEXICO FOR FUEL AND FUEL DELIVERY SERVICES WHICH THE GOVERNMENT OF MEXICO PROCURES OR CONTRACTS TO PROCURE FOR THE OPERATION OF AIRCRAFT AND LAND VEHICLES EMPLOYED IN CURBING NARCOTICS TRAFFICKING DURING THE 1975 OPIUM POPPY ERADICATION PROGRAM OF THE GOVERNMENT OF MEXICO AND FOR WHICH REIMBURSEMENT FOR FUEL HAS NOT BEEN PROVIDED IN A SEPARATE AGREEMENT. THE COST TO THE US GOVERNMENT FOR REIMBURSEMENT FOR FUEL AND FUEL DELIVERY SERVICES SHALL NOT EXCEED THREE HUNDRED AND FIFTY THOUSAND DOLLARS (DOLS 350,000.00).

G. THE GOVERNMENT OF THE US AGREES TO PROVIDE THE
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GOVERNMENT OF MEXICO FILM, PAPER, CHEMICALS, AND OTHER CONSUMABLES NOT READILY AVAILABLE IN MEXICO, AND A CAMERA, ENLARGER, AND OTHER EQUIPMENT NOT PROVIDED FOR IN THE AGREEMENT OF JUNE 10 AND JUNE 24, 1974, WHICH ARE DEEMED NECESSARY FOR USE IN THE MULTI-SPECTRAL AERIAL PHOTOGRAPHIC POPPY DETECTION SYSTEM DURING THE PERIOD FROM NOVEMBER 1, 1974 UNTIL NOVEMBER 1, 1975, AT A COST TO THE US GOVERNMENT NOT TO EXCEED TWENTY THOUSAND DOLLARS (DOLS 20,000.00).

H. THE GOVERNMENT OF THE US AGREES TO REIMBURSE THE GOVERNMENT OF MEXICO FOR ALL NECESSARY AND REASONABLE EXPENSES INCURRED BY THE GOVERNMENT OF MEXICO FOR INDIVIDUAL AND FIELD EQUIPMENT AND FIELD RATIONS WHICH THE GOVERNMENT OF MEXICO PROCURES FOR PERSONNEL OF THE ATTORNEY GENERAL'S AIR SERVICES DIVISION, THE MEXICAN FEDERAL JUDICIAL POLICE, AND THE SECRETARIAT OF DEFENSE WHO ARE ENGAGED IN THE ERADICATION EFFORT, AT A TOTAL COST TO THE US GOVERNMENT NOT TO EXCEED ONE HUNDRED AND SEVENTY-FIVE THOUSAND DOLLARS (DOLS 175,000.00).

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I. THE MATERIAL AND SUPPLIES PROVIDED HEREIN ARE TO BE USED BY THE OFFICE OF THE ATTORNEY GENERAL OF MEXICO TO INTERDICT THE FLOW OF ILLICIT NARCOTICS THROUGH OR FROM MEXICO AND TO LOCATE AND ERADICATE OPIUM POPPY, MARIJUANA, AND OTHER PLANTS FROM WHICH NARCOTIC SUBSTANCES ARE DERIVED. IT IS FURTHER UNDERSTOOD THAT THE USE OF THIS EQUIPMENT SHALL BE RESTRICTED TO THESE PURPOSES, EXCEPT THAT NOTHING IN THIS AGREEMENT SHALL PRECLUDE ITS USE IN TIMES OF NATURAL DISASTER TO PREVENT LOSS OF LIFE OR OTHERWISE ENGAGE IN HUMANITARIAN UNDERTAKINGS.

J. MAINTENANCE AND SUPPLY SUPPORT SERVICES WILL CONSIST OF THE PROVISION OF ADVISORY SERVICES BY BELL HELICOPTER COMPANY PERSONNEL FOR A PERIOD NOT TO EXCEED EIGHTEEN MONTHS. THESE PERSONNEL WILL BE PROVIDED THROUGH DIRECT CONTRACTUAL ARRANGEMENTS BETWEEN THE GOVERNMENT OF THE US AND THE BELL HELICOPTER COMPANY. SUCH PERSONNEL WILL ADVISE AND ASSIST PERSONNEL OF THE AIR SERVICES SECTION OF THE OFFICE OF THE ATTORNEY
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GENERAL OF MEXICO IN MEXICO CITY IN THE DEVELOPMENT OF AIRCRAFT MAINTENANCE AND SUPPLY SUPPORT SYSTEMS FOR ROTARY AND FIXED WING AIRCRAFT, AS WELL AS DEVELOPMENT OF APPROPRIATE FACILITIES AND PERSONNEL PURSUANT TO PARAGRAPH E ABOVE TO PERMIT THE USE OF SUCH SYSTEMS. IN ORDER TO ACHIEVE AND MAINTAIN MAXIMUM AIRCRAFT OPERATIONAL EFFECTIVENESS UNTIL A SATISFACTORY MAINTENANCE AND SUPPLY CAPABILITY IS ESTABLISHED, CONTRACTOR PERSONNEL WILL ALSO ASSIST IN SPECIALIZED MAINTENANCE OF AIRCRAFT AND IN THE PROCUREMENT OF SPARE PARTS, SPECIAL TOOLS, GROUND SUPPORT AND SHOP EQUIPMENT OR OTHER EQUIPMENT NECESSARY FOR MAINTENANCE AND REPAIR OF ALL AIRCRAFT WHICH ARE USED IN THE EFFORT TO CURB THE PRODUCTION AND TRAFFICKING OF NARCOTICS AND WHICH ARE ALREADY A PART OF OR, PURSUANT TO ARRANGEMENTS AGREED UPON BY THE PARTIES, MAY BE ADDED TO THE AIRCRAFT INVENTORY OF THE AIR SERVICES SECTION OF THE OFFICE OF THE ATTORNEY GENERAL OF MEXICO. PROCUREMENT REQUISITIONS DEVELOPED BY THE AIR SERVICES SECTION AND CONTRACTOR PERSONNEL PURSUANT TO THE AFOREMENTIONED PROVISION ON PROCUREMENT WILL BE APPROVED BY APPROPRIATE AUTHORITIES OF THE GOVERNMENT OF MEXICO AND THE GOVERNMENT OF THE US. TOTAL COST TO THE US GOVERNMENT OF THIS MAINTENANCE AND SUPPLY SUPPORT PROGRAM WILL NOT EXCEED ONE MILLION DOLLARS (DOLS 1,000,000.00). THE GOVERNMENT OF MEXICO AGREES TO PROVIDE AT ITS OWN EXPENSE FOR USE BY CONTRACTOR PERSONNEL IN PERFORMANCE OF THEIR SERVICES, OFFICE AND WORK SPACE, OFFICE EQUIPMENT AND SUPPLIES,

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STORAGE SPACE, INDIRECT SUPPORT ITEMS, MATERIALS, TOOLS AND EQUIPMENT, CLERICAL HELP AND OTHER FACILITIES NECESSARY FOR THE PROPER IMPLEMENTATION OF THE AFORE-MENTIONED PROGRAM. THE GOVERNMENT OF MEXICO AGREES THAT THE CONTRACTOR, ITS EMPLOYEES AND DEPENDENTS WILL BE EXEMPT FROM ALL REQUIREMENTS FOR LICENSES, PERMITS, CUSTOMS DUTIES, IMPORT TAXES AND ANY OTHER TAXES WHICH ARE ASSESSED BY THE GOVERNMENT OF MEXICO OR ANY POLITICAL SUBDIVISION THEREOF, AND IF NOT EXEMPT, THE GOVERNMENT OF MEXICO AGREES TO BEAR ALL COSTS THEREOF AT ITS OWN EXPENSE. THE GOVERNMENT OF MEXICO AGREES TO ARRANGE FOR CONTRACTOR PERSONNEL TO OBTAIN EXIT/ENTRY PERMITS, PASSES, AND PERMISSIONS WHICH MAY BE REQUIRED TO ALLOW
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CONTRACTOR PERSONNEL ASSIGNED UNDER THE CONTRACT TO TRAVEL TO MEXICO AND WITHIN THE MEXICO CITY AIRPORT AND OTHER SITES IN PERFORMANCE OF WORK UNDER THE CONTRACT. THE GOVERNMENT OF MEXICO AGREES TO INDEMNIFY AND TO HOLD AND SAVE HARMLESS THE CONTRACTOR AND ITS OFFICERS, AGENTS, SERVANTS, AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, SUITS AND LIABILITIES FOR THE LOSS OR DESTRUCTION OF OR DAMAGE TO ANY AIRCRAFT AND RELATED EQUIPMENT OR ANY PROPERTY MADE AVAILABLE TO OR PROCURED BY THE CONTRACTOR FOR PERFORMANCE OF SERVICES UNDER THIS PROGRAM, UNLESS SUCH LOSS, DESTRUCTION OR DAMAGE SHALL HAVE BEEN CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE CONTRACTOR, ITS DIRECTORS, OR OFFICERS.

K. THE GOVERNMENT OF THE US AGREES TO PROVIDE NO MORE THAN DOLS 25,000 FOR THE PURCHASE OF MISCELLANEOUS SUPPLIES, EQUIPMENT, AND SERVICES, AS MUTUALLY AGREED UPON, IN DIRECT SUPPORT OF THE ERADICATION PROGRAM DURING THE 1975 CALENDAR YEAR.

L. TOTAL COST TO THE US GOVERNMENT OF ALL ASSISTANCE PROVIDED FOR IN THIS AGREEMENT SHALL NOT EXCEED SIX MILLION, TWO HUNDRED AND EIGHTY-TWO THOUSAND DOLLARS (DOLS 6,282,000.00).

M. IT IS UNDERSTOOD THAT THE PROVISIONS OF ALL PREVIOUS AGREEMENTS BETWEEN THE GOVERNMENT OF THE US AND THE GOVERNMENT OF MEXICO IN RELATION TO THE NARCOTICS CONTROL EFFORT OF THE GOVERNMENT OF MEXICO REMAIN IN FULL FORCE AND EFFECT, ANY PROVISIONS OF THIS AGREEMENT TO THE CONTRARY NOTWITHSTANDING.

N. THE GOVERNMENT OF MEXICO AGREES THAT, AT THE REQUEST OF THE EMBASSY OF THE US, THE OFFICE OF THE ATTORNEY GENERAL SHALL PROVIDE TO THE PERSONNEL OF

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THE US GOVERNMENT ACCESS TO THE EQUIPMENT FOR THE
PURPOSE OF CERTIFYING ITS USAGE AND CONDITION OF
SERVICE. IT IS ALSO UNDERSTOOD THAT THROUGH THE
EMBASSY OF THE US IN MEXICO PERSONNEL OF THE US
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GOVERNMENT AND THE OFFICE OF THE ATTORNEY GENERAL
OF MEXICO SHALL EXCHANGE SEMIANNUALLY, AND AT OTHER
TIMES MUTUALLY AGREED UPON, INFORMATION IN WRITING
ON THE SPECIFIC EFFORTS UNDERTAKEN IN RELATION TO THE
PURPOSES AND OBJECTIVES OF THIS AGREEMENT.

O. IF THE FOREGOING IS ACCEPTABLE TO THE GOVERN-
MENT OF MEXICO, THIS LETTER AND YOUR REPLY SHALL

CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS.

P. I TAKE THIS OPPORTUNITY TO REITERATE TO YOU
THE ASSURANCES OF MY HIGHEST CONSIDERATION AND ESTEEM.
SINCERELY, UNQUOTE.

3. ANY SIGNIFICANT CHANGES IN TEXT OF LETTER OF
AGREEMENT SHOULD BE CLEARED TELEPHONICALLY WITH THE
DEPARTMENT TO EXPEDITE EXCHANGE OF LETTERS.

4. EMBASSY SHOULD NOTE THAT ONE OF FOUR BELL 212
HELICOPTERS REFERRED TO IN PARA 2, C ABOVE IS REPLACEMENT
FOR BELL 212 HELICOPTER WHICH WAS TOTALLY DESTROYED IN
CRASH SEPTEMBER 22 (EMBTEL 8034). WE ARE URGENTLY
SEEKING PROCURE IN TIME FOR AT LEAST PART OF FY-75
ERADICATION CAMPAIGN. OTHER THREE BELL 212'S ARE
BEING FUNDED NOW IN ORDER TO PERMIT INITIATION OF
PROCUREMENT FOR DELIVERY PRIOR TO EXPANDED 1976 CAMPAIGN.

5. DEPARTMENT UNDERSTANDS IMPORT DUTIES WILL NOT
REPEAT NOT BE LEVIED ON ANY OF THE MATERIALS OR
EQUIPMENT PROCURED BY THE USG AND PROVIDED TO THE
GOM UNDER THIS AGREEMENT. PLEASE ADVISE IF THERE IS
ANY DOUBT REGARDING GOM INTENTIONS ON THIS AND DEPARTMENT
WILL PREPARE APPROPRIATE LANGUAGE FOR INSERTION IN
AGREEMENT.

6.,ARA 2, K ABOVE REFERS TO FUNDS TO BE USED FOR
PURCHASE OF GOODS AND SERVICES, PRIMARILY TO ENCOURAGE
INNOVATIVE METHODS AND TECHNIQUES IN ERADICATION. OTHER
FUNDING WILL BE PROVIDED FOR DEA MEXICO (PER EYMAN,
COHEN, WAMPLER DISCUSSIONS DURING ARA CONFERENCE)
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FOR USE AS NECESSARY TO MEET THESE SHORT TERM PER DIEM
AND OTHER NECESSARY OPERATIONAL EXPENSES OF MFJP
WHICH, IN DEA JUDGEMENT GOM INCAPABLE OF FUNDING.

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